

Committee Room,
Austin, Texas, Feb. 26, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 130 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 40 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 303 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

THIRTY-FIRST DAY.

(Tuesday, March 2, 1937.)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Collie.	Redditt.
Cotten.	Shivers.
Head.	Stone.
Hill.	Sulak.
Holbrook.	Van Zandt.
Isbell.	Weinert.
Lemens.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The following Senators were absent and excused:

Burns.	Roberts.
Davis.	Small.
Moore.	Spears.

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Leaves of Absence Granted.

Senator Spears was granted leave of absence for today and the remainder of this week, on account of important business, on motion of Senator Collie.

Senator Roberts was granted leave of absence for today, on account of important business, on motion of Senator Collie.

Senator Burns was granted leave of absence for today and Senator Weinert was granted leave of absence for the balance of today, on account of important business, on motion of Senator Shivers.

Reports of Standing Committees.

Reports on Senate Bills Nos. 137, 345, 173, 66, 77, 227, 410, 369, 28, 239, and 211 on House Bills Nos. 100, 101, 174, 123 and 162, and on H. C. R. No. 14, were submitted by the chairmen of the several committees to which they were referred. (See Appendix for reports in full.)

Senate Concurrent Resolution No. 41.

Senator Aikin offered the following resolution:

By Senator Spears:

S. C. R. No. 41, Providing that the Senate and the House of Representatives grant Charles Stewart and wife permission to sue the State of Texas and/or the Texas Relief Commission.

The resolution was read and was referred by the President to the Committee on State Affairs.

Announcement by Senator Holbrook.

Senator Holbrook announced that the joint committee appointed pursuant to the provisions of House Concurrent Resolution No. 26, to arrange a program for a joint session of the Legislature to celebrate the 101st anniversary of the signing of the Texas Declaration of Independence, had arranged that the joint session be held at 10:15 o'clock a. m. today in the Hall of the House of Representatives and that Hon. Clarence Wharton of Houston, Texas, deliver an address at that time.

Accordingly, at the hour of 10:10 o'clock a. m., President Pro Tempore Pace requested the Senators to repair in a body to the Hall of the House of Representatives.

Joint Session.

The Honorable Senators were announced at the bar of the House of Representatives, were duly admitted and were escorted to seats previously prepared for them along the aisle.

Hon. Will D. Pace, President Pro Tempore of the Senate, by invitation of the Speaker, occupied a seat on the Speaker's stand.

The President Pro Tempore called the Senate to order, as in joint session, at 10:15 o'clock a. m.

The Speaker of the House called the House to order, and requested Representative J. C. McConnell to preside during the joint session.

Hon. Clarence Wharton was escorted to the Speaker's stand by Senator Holbrook, on the part of the Senate, and by Representative Stinson, on the part of the House.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain of the House.

On behalf of the Legislature of Texas, Representative McConnell expressed to Mr. and Mrs. Charles Berkeley Normann the appreciation of the Legislature for their placing in the Hall of the House for this occasion a painting by themselves, depicting the signing of the Texas Declaration of Independence.

A program of music was rendered by the University of Texas band.

Misses Elayne and Eloyce McConnell, accompanied on stringed instruments by their younger sisters, Laura Eldridge McConnell and Carolyn McConnell, rendered a patriotic Texas song.

Representative McConnell presented Senator T. J. Holbrook, who introduced Hon. Clarence Wharton to the joint session and the assemblage.

Hon. Clarence Wharton then addressed the joint session and the assemblage.

At the conclusion of the address and the joint session, the President Pro Tempore requested the Senators to repair in a body to the Senate Chamber.

In the Senate.

The Senate was called to order at 11:15 o'clock a. m. by the President Pro Tempore.

House Bill No. 123 on Second Reading.

On motion of Senator Collie and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 123, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than 4,600 and not more than 4,650, whether organized under general or special law, repealing all laws in conflict herewith, both general and special, and declaring an emergency."

On motion of Senator Collie and by unanimous consent, the Senate rule requiring a committee report on a bill to lie over one day before consideration of the bill reported, was suspended, to permit consideration of the bill at this time.

The President then laid H. B. No. 123 before the Senate, on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

House Bill No. 123 on Third Reading.

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 123 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26.

Aikin.	Moore.
Beck.	Neal.
Brownlee.	Nelson.
Collie.	Newton.
Cotten.	Oneal.
Head.	Pace.
Hill.	Rawlings.
Holbrook.	Redditt.
Isbell.	Shivers.
Lemens.	Stone.

Sulak.	Westerfeld.
Van Zandt.	Winfield.
Weinert.	Woodruff.

Absent—Excused.

Burns.	Small.
Davis.	Spears.
Roberts.	

The President Pro Tempore laid S. B. No. 123 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24.

Aikin.	Newton.
Beck.	Pace.
Brownlee.	Rawlings.
Collie.	Redditt.
Cotten.	Shivers.
Head.	Stone.
Hill.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.

Nays—2.

Holbrook.	Oneal.
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Absent—Excused.

Burns.	Small.
Davis.	Spears.
Roberts.	

Senate Bill No. 413 on First Reading.

Senator Woodruff moved that the rule limiting the introduction of bills during the Regular Session of the Legislature be suspended, to permit the introduction of a bill by himself at this time.

The motion prevailed by the following vote:

Yeas—26.

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.

Absent—Excused.

Burns.	Small.
Davis.	Spears.
Roberts.	

The following bill was then introduced, read first time and referred by the President Pro Tempore to the Committee on State Affairs:

By Senator Woodruff:

S. B. No. 413, A bill to be entitled "An Act amending Chapter 98, page 271, of the Forty-third Legislature, First Called Session, as amended in Chapter 165, page 415, Acts of the Forty-fourth Legislature, providing for the collection of taxes due the State of Texas and the various political subdivisions thereof, providing for the transfer of tax liens to certain persons, firms or corporations, providing for the subrogation of third persons' paying the taxes of another to all rights, titles, interests and liens of the taxing agency to which such taxes are paid by such third persons, firms or corporations, and declaring an emergency."

Advance Printing of Senate Bill No. 249.

On motion of Senator Shivers, it was ordered that S. B. No. 249 be printed in advance of its consideration in committee.

Message From the House.

Hall of the House of Representatives, Austin, Texas, March 2, 1937.

Hon. Will D. Pace, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution: S. C. R. No. 40, Inviting the Honorable Tom Connally, Junior United States Senator of Texas, to address a joint session of the House and the Senate Tuesday evening at 8 o'clock, March 2, 1937.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bill and Resolutions Signed.

The President Pro Tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bill and resolutions:

S. C. R. No. 25, In memory of Hon. Tom S. Henderson.

S. C. R. No. 40, Providing for a Joint Session of the House and Senate to hear an address by the Hon. Tom Connally.

S. B. No. 72, "An Act to amend Chapter 22, Special Laws 1903, as amended; authorizing Palo Pinto County to fund or refund the indebtedness against its road and bridge fund, etc."

Senate Bill No. 193 on Final Passage.

Senator Stone called up from the President's table, on its final passage (the bill having been read third time on yesterday and having been tabled subject to call on that day):

S. B. No. 193, A bill to be entitled "An Act authorizing private corporations heretofore incorporated for the purpose of operating street or interurban railways to amend their charters so as to include as an additional purpose of the corporations the acquiring, owning and operating of motor vehicles and motor buses, etc., and declaring an emergency."

The President Pro Tempore laid the bill before the Senate, on its final passage.

Senator Westerfeld offered the following amendment to the bill:

Amend S. B. No. 193 by adding a new Section to be known and designated as Section 1(a), to be inserted between Section 1 of the bill and Section 2 of the bill, to read as follows:

"Section 1(a). Provided before any such amendment may be filed with the Secretary of State the officers and directors of said corporation shall file an affidavit with the Secretary of State giving a detailed itemized statement of what money and property is held or owned by it and the actual cash market value of each such item of property, giving a description of the property, location and from whom, when, and the price at which it was acquired; and before the Secretary of State shall file said amendment he shall cause an investigation to be made, at the expense of said corporation, to determine the correctness of the information contained in said affidavit; and provided further that for rate making purposes, transportation charges on motor vehicles and motor buses shall

be determined solely on the basis of such motor bus transportation and the property actually used in connection therewith; and the street or interurban railways and property owned by such corporation prior to entering into the motor vehicle or motor bus transportation business shall not be considered for any purpose in making and establishing rates for the transportation of passengers by such motor vehicles and motor buses."

Senator Stone raised a point of order on consideration of the amendment, on the ground that it includes subject matter not germane to the original purpose of the bill.

The President Pro Tempore overruled the point of order.

Question recurring on the amendment, it was lost by the following vote:

Yeas—1.

Westerfeld.

Nays—21.

Aikin.	Newton.
Beck.	Pace.
Brownlee.	Rawlings.
Collie.	Redditt.
Cotten.	Shivers.
Head.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Winfield.
Moore.	Woodruff.
Neal.	

Present—Not Voting.

Nelson.	Oneal.
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Absent—Excused.

Burns.	Small.
Davis.	Spears.
Hill.	Weinert.
Roberts.	

Senator Rawlings offered the following amendment to the bill:

Amend S. B. No. 193 by adding new Section immediately after Section 2 of the bill as amended to be numbered Section 2a to read as follows:

Nothing in this Act shall be construed to deprive the Railroad Commission of Texas of its exclusive authority to continue the regulation of buses, and motor vehicles operating

under its jurisdiction; nor shall this Act relieve such operators of the requirement to secure certificate or permits from the Railroad Commission authorizing such operations.

The amendment was adopted by the following vote:

Yeas—22.

Aikin.	Neal.
Beck.	Newton.
Brownlee.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Head.	Redditt.
Hill.	Shivers.
Holbrook.	Stone.
Isbell.	Sulak.
Lemens.	Van Zandt.
Moore.	Woodruff.

Nays—1.

Westerfeld.

Present—Not Voting.

Nelson. Winfield.

Absent—Excused.

Burns.	Small.
Davis.	Spears.
Roberts.	Weinert.

Senator Westerfeld offered the following amendment to the bill:

Amend S. B. No. 193, by striking out all below the enacting clause.

The amendment was lost by the following vote:

Yeas—3.

Cotten.	Westerfeld.
Newton.	

Nays—19.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Collie.	Redditt.
Head.	Shivers.
Holbrook.	Stone.
Isbell.	Van Zandt.
Lemens.	Winfield.
Moore.	Woodruff.
Neal.	

Present—Not Voting.

Nelson.

Absent—Excused.

Burns.	Small.
Davis.	Spears.
Hill.	Sulak.
Roberts.	Weinert.

Senator Van Zandt offered the following amendment to the bill:

Amend the caption to conform with changes made in the body of the bill.

The amendment was adopted unanimously.

S. B. No. 193 was then passed by the following vote:

Yeas—22.

Aikin.	Nelson.
Beck.	Newton.
Brownlee.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Head.	Redditt.
Holbrook.	Shivers.
Isbell.	Stone.
Lemens.	Van Zandt.
Moore.	Winfield.
Neal.	Woodruff.

Nays—1.

Westerfeld.

Absent—Excused.

Burns.	Small.
Davis.	Spears.
Hill.	Sulak.
Roberts.	Weinert.

Senate Resolution No. 40.

Senator Moore, by unanimous consent, offered the following resolution:

Whereas, S. B. No. 216, which has been reported favorably out of the Committee on Counties and County Boundaries, has been mislaid, and; Whereas, Such bill has been printed; now, therefore, be it

Resolved by the Senate, That the attached true copy of such bill is hereby ordered substituted in lieu of the original bill, that it have the same standing force and effect as the original bill.

The resolution was read and was adopted unanimously.

Recess.

On motion of Senator Holbrook, the Senate, at 12:05 o'clock p. m., took recess to 7:45 o'clock p. m. today.

After Recess.

The Senate met at 7:45 o'clock p. m. and was called to order by President Woodul.

The President announced that the hour heretofore fixed for the two Houses to meet in joint session to hear an address by Hon. Tom Connally had arrived, and requested the Senators to repair in a body to the Hall of the House of Representatives.

Joint Session.

The Honorable Senate was announced at the bar of the House, and the Senators were duly admitted and were escorted to seats previously prepared for them along the aisle.

The President of the Senate by invitation of the Speaker, occupied a seat on the Speaker's stand.

The Speaker of the House called the House of Representatives to order at 8:00 o'clock p. m.

The President of the Senate called the Senate to order.

Hon. Tom Connally, United States Senator from Texas, accompanied by Governor James V. Allred, was announced at the bar of the House, and they were escorted to the Speaker's stand by Senators Holbrook and Newton, on the part of the Senate, and Messrs. Jones of Falls County, Derden, McConnell, Cagle and Dollins, on the part of the House.

The Speaker of the House presented Senator Holbrook, who presented Hon. W. A. Keeling, who in turn presented Governor James V. Allred.

Governor Allred introduced Hon. Tom Connally, United States Senator, to the joint session and the assemblage.

Senator Connally then addressed the joint session and the assemblage.

At the conclusion of the address and the joint session, the Senate repaired to the Senate Chamber.

In the Senate.

The President called the Senate to order at 10:00 o'clock p. m.

Adjournment.

On motion of Senator Alkin, the Senate, at 10:00 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX.

Reports of Standing Committees.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 100, A bill to be entitled "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the pink bollworm under the provisions of Chapter 3, Title 4, Revised Civil Statutes of Texas, 1925, known as the Pink Bollworm Law, and amendments thereto, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance to whom was referred

S. B. No. 345, A bill to be entitled "An Act making appropriation for the support and maintenance of certain employees of the Motor Transportation Division of the Railroad Commission for the last six months of the current biennium ending August 31, 1937, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute in lieu thereof do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 14.

Have had the same under consideration, and I am instructed to report said resolution back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 137, A bill to be entitled "An Act providing for and fixing the salaries of the members of the Judiciary of the State of Texas; amending Section 1 of H. B. No. 280, Chapter 148, Acts of the Regular Session of the Forty-third Legislature, as amended by Section 1 of H. B. No. 417, Chapter 355, Acts of the Regular Session of the Forty-fourth Legislature; repealing all laws in conflict herewith, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 174, A bill to be entitled "An Act making an appropriation from the special taxes levied and collected for the purpose of supplementing the Available School Fund, not constitutionally prohibited, for the preparation, checking, investigation, and correction of the scholastic census and for accounting and investigation necessary in the approval of transfers to the Census Division to the State Department of Education, providing money for salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto for the sum of Fifteen Thousand Dollars (\$15,000.00) for the year ending September 1, 1937; warrants against said fund to be drawn and paid as are warrants against the Available School Fund, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with

Committee Amendments Nos. 1, 2 and 3, and be printed.

REDDITT, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 174 by striking out Section 1 of said bill and insert in lieu thereof the following:

"Section 1. There is hereby appropriated to supplement previous appropriation out of the State Treasury the sum of Five Thousand (\$5,000.00) Dollars to the Census Division of the State Department of Education to be used in more fully checking, investigating, and correcting the scholastic census and for accounting and investigation necessary in the approval of transfers for the year ending September 1, 1937. Said sum of money in addition to that already appropriated to be used in payment of necessary salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto.

Committee Amendment No. 2.

Amend H. B. No. 174 by adding thereto a new Section at an appropriate place to read as follows:

"Sec. 2. There is hereby appropriated to supplement previous appropriation out of the State Treasury the sum of Eight Hundred (\$800.00) Dollars to the State Commission for the Blind, to be used as follows, to-wit:

"(a) Three Hundred (\$300.00) Dollars for freight on Talking-book machines for the needy blind of Texas furnished through the United States Government.

"(b) Five Hundred (\$500.00) Dollars for supplementing traveling expenses and to be used by said Commission in certifying eligible blind persons for occupancy in Federal owned public buildings."

Committee Amendment No. 3.

Amend H. B. No. 174 by amending the caption to conform to the body of the bill.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 101, A bill to be entitled

"An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Mexican fruit fly, citrus canker, and other pests, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment No. 1, and be printed.

REDDITT, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 101 by striking out the words and figures "Twelve Thousand (\$12,000.00) Dollars" wherever they appear, and inserting in lieu thereof the words and figures "Six Thousand (\$6,000.00) Dollars."

Committee Room,

Austin, Texas, March 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 173, A bill to be entitled "An Act making it unlawful to operate a freight train consisting of more than seventy (70) cars, exclusive of the caboose, over any railroad line or portion thereof in this State and making it unlawful to operate a passenger train consisting of more than fourteen (14) cars over any railroad line or portion thereof in this State; providing a penalty for a violation of this Act and providing however this Act shall not apply in case of engine failures between terminals, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, March 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 77, A bill to be entitled "An Act to amend Sections 1 to 14, inclusive, of Chapter 253, Acts of the Fortieth Legislature, page 373, adding Sections 10a and 11a; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be printed.

COLLIE, Chairman.

Committee Room,

Austin, Texas, March 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 66, A bill to be entitled "An Act to amend the second paragraph of Section 1, of Article 8309 of the Revised Civil Statutes of the State of Texas of 1925, captioned "Employee"; enlarging the scope of its meaning, and defining same; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute do pass in lieu thereof and be printed.

COLLIE, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 123, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than four thousand, six hundred (4,600) and not more than four thousand, six hundred and fifty (4,650), whether organized under General or Special Law; repealing all laws in conflict herewith, both general and special, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 227, A bill to be entitled "An Act amending Section 17 of Article 2815h of the Revised Civil Statutes of the State of Texas, as amended by the Regular Session of the Forty-fourth Legislature, 1935, governing the creation of Junior Colleges, by adding thereto a new Subsection to be numbered Section 17 (a) providing that a proposed district may have less than seven thousand (7,000) scholastic enrollment but not less than five thousand (5,000), provided the site of such college is more than seventy-five (75) miles from any other Junior or Senior College supported by public taxes and provided that the State Board of Education finds that the proposed district is in a growing section and that there is a public convenience and necessity for such Junior College, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 410, A bill to be entitled "An Act providing for a rural school supervisor in certain counties; prescribing the qualifications and duties of said supervisor; prescribing the method of employing the supervisor; prescribing the salary of said supervisor and how he shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 239, A bill to be entitled "An Act amending Sections 4, 7, 9, 10, 11, 14, and 22 of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and adding Sections 7a and 7b thereto; the amendment of Section 4 providing that the Independent School District or city that has assumed control of its schools or where the same has been organized as a Junior College District has an independent entity which is governed, administered and controlled by and under the direction of the Board of Education of such district or city, and conferring upon said Board of Education of said Junior College District the rights, powers, privileges and duties imposed upon trustees of Independent School Districts by the General Laws of the State of Texas in so far as they may be applicable and not inconsistent with this Act; the amendment of Section 7 providing that the taxes levied for junior college purposes shall be based on the valuation fixed by the Board of Equalization of the District, providing further that if no taxes have been assessed and equalized in said district at the time of issuance of such bonds, then the basis shall be the valuation in the Independent School District if its boundaries are the same as the Junior College District, or if its boundaries are not the same on the basis of the valuation fixed by the commissioners' court as a board of equalization in such county within the limits of such district; adding Section 7a providing for the manner of assessing and collecting taxes in such Junior College Districts, providing for a board of equalization and the manner of equalizing taxes; adding Section 7b providing alternative plans in the assessment and collection of taxes in such district and providing the manner of making the assessment, equalization and collection of such taxes under such alter-

native plans; amending Section 9 by providing that a copy of the order making such levy shall be delivered to the assessor and collector of taxes of the district or such other agency as may be entrusted with that duty; amending Section 10 by providing for the furnishing of reports of taxes collected and depositing the same with the treasurer of the Junior College District where the same is a separate entity or to the Independent School District, or city, where such junior college is operated by the Independent School District, or the city; amending Section 11 by providing that the bond of the assessor and collector of taxes shall be fixed by the Board of Education of the Junior College District and further providing for the selection of a depository for such district; amend Section 14 to provide that no funds received for school purposes from the State Available School Fund or raised by local taxation for school purposes under the General or Special Laws, except as may heretofore have been provided by the Legislature of the State, shall be used for the establishment, support and maintenance of the Junior College; amending Section 22 to provide that all taxes levied for a county or joint county Junior College District shall be assessed and collected in the manner provided in either Section 7a or 7b and providing for the deposit of such funds; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 162, A bill to be entitled "An Act providing for the amount that may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal

Census; repealing all laws and parts of laws, general or special, in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 28, A bill to be entitled "An Act, more effectually regulating the duty of parents (commensurate with their ability) to support, maintain and educate their children under sixteen years of age; authorizing the institution of an independent action by a parent or next friend, in the county court of the county of the residence of such child or children, or where such child or children is, or are, principally kept, calling attention to the neglect of such child or children by the parent against whom complaint is made; providing for the service of notice upon such parent of a hearing on the complaint, for the taking of testimony, and authorizing the court by an order, entered to that effect, requiring any such parent (commensurate with his or her ability) to make periodical payments of money into the registry of court, for the benefit of said child or children; authorizing the county court, on proper showing of materially changed circumstances and conditions, to modify, suspend or set aside such order; providing for the enforcement of any such order, by suitable legal process, or by contempt proceedings; authorizing either party to the controversy to appeal without bond from the order of the county court, to the district court of said county, and regulating such appeal; providing for trial de novo in the district court, either in term time or vacation, and that its judgment shall be final and for the certification thereof to the county court for enforcement; providing that this Act shall not be construed as repealing, by implication, any law or laws germane to the subject-mat-

ter hereof, but shall be considered as cumulative of all other laws on the subject, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 369, A bill to be entitled "An Act amending Article 2866 of the Revised Civil Statutes of 1925, repealing all laws or parts of laws conflicting herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 211, A bill to be entitled "An Act to provide for the creation of the office of the Commissioner of Education of the State of Texas, fixing the qualification of the Commissioner of Education, his salary, and his term of office, abolishing the office of State Superintendent of Public Instruction of the State of Texas, transferring all the duties imposed by law upon the State Superintendent of the State of Texas at the time this Act goes into effect to the Commissioner of Education, providing that said Commissioner of Education shall be appointed by a majority vote of the State Board of Education, providing that said Act be effective from and after the second Monday in December A. D. 1938, and

repealing all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 247 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 238 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, March 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 72 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 35 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, March 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 40 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.